

**EXHIBIT B**  
**to Joshua S. White Decl. ISO**  
**Arntz's Oppo. to PI Motion**



**Re: Follow-up to Friday's post re vote-by-mail issues**  
Joshua White to: Bill Simpich

05/16/2016 12:26 PM

Hi Bill,

Thank you for your emails of this morning and Friday. I'm going to do my best to respond to each of the concerns you raise. I'm hopeful and confident that we can avoid going to court. As you will see below, the Department's website and mailers comply with all applicable provisions of the California and Municipal Elections Codes.

First, in your email on Friday, you mentioned that the online VBM application doesn't include the information required by CA Elections Code 3006. That's not accurate. A voter with no party preference who attempts to request a one-time VBM ballot would see the below information. If the voter clicked on the link in the third paragraph, they would be taken to a form that includes all information required by CA Elections Code 3006. The Dept of Elections hasn't changed this portion of its website recently. The portion of the website you reference is not from the actual VBM application; it's from the portion of the website where voters enter their information so that an application will appear online.

← → ↻ sfelections.org/tools/vbm/app/app.php

SFElections English Spanish Pages More tools

### Online Vote-by-Mail Application

#### June 7, 2016, Consolidated Presidential Primary Election

A voter record has been found. Please verify the information below. If you wish to have your ballot mailed to an address other than your residential address, please complete the "Mailing Address" section.

Name: Alex Navarrete  
 Date of Birth: 02/26/1986  
 Party: No Party Preference

Our records indicate that you did not disclose a preference for a qualified political party when you registered to vote.

For the June 7 election, the American Independent, Democratic, and Libertarian parties allow voters with no party preference to vote in their presidential primary elections.

To request a ballot of one of these parties, California law requires that you personally affix the name of your preferred party to your request. To do so, complete this Vote-by-Mail Ballot Application and return it to the Department as soon as possible. It must reach the Department no later than Tuesday, May 31. You may mail, deliver, or fax the form to the address or fax number listed on the application. A ballot will be sent to you if the information on this form is complete and accurate.

Note: You will receive a ballot without a presidential primary contest unless you request a party ballot.

To request a ballot without a contest for President that excludes Congressional, state and judicial offices and measures, review and submit the information below.

Residential address: If this is not your current residential address, you must re-register.

Address: 267 Van Ness Ave.  
 City: San Francisco  
 ZIP Code: 94103

Mailing address: If different from residential address.

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Information for Military and Overseas Voters

To submit your application, read the "Certification" and click the "I Agree" button.

#### CERTIFICATION

I have not applied for a vote-by-mail ballot from any other jurisdiction for this election. By submitting this application, I certify under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. Warning: Perjury is a felony, punishable by imprisonment in state prison for up to five years. (CA Penal Code, Sec. 1261)

Second, the voting instructions form you attached to your email on Friday aren't a VBM application. As such, Section 3006 doesn't apply to it. Nonetheless, the voting instructions form provides a link to an online VBM application which, as mentioned above, does comply with CA EC 3006.

Third, your email from this morning indicates that the Secretary of State's phone number isn't on the VBM application in the VIP. However, per Section 3007, this phone number doesn't have to be included. CA 3007 states: "The Secretary of State shall prepare and distribute to appropriate elections officials a uniform application format for a vote by mail voter's ballot that conforms to this chapter. This format shall be followed by all individuals, organizations, and groups who distribute applications for a vote by

mail voter's ballot. **The uniform format need not be utilized by elections officials in preparing a vote by mail voter's ballot application to be included with the sample ballot.**"

Fourth, you note that the application in the Voter Information Pamphlet for no party preference voters is not translated in other languages. While it is true that the English version of the VIP does not include all language options, the Chinese-, Filipino-, and Spanish-language VIPs all have applications in the respective languages. The Department of Elections offers voters many instances to inform it of their language preferences. Voters who have expressed a preference to receive a VIP in another language will receive one. In addition, translated VIPs are available online and hard copies can be requested by calling or emailing the Department.

Fifth, regarding the requirement that the Department inform voters of the option to drop-off their ballots at the City Hall Voting Center, I believe you're misreading the applicable code section. The Department does not pre-print voter information on the applications, thus, there is no need to inform voters of this drop-off option.

I hope that this email satisfies your concerns. If you'd like to see samples of any or all VIPs, please let me know and I can have them mailed to you, or can make them available for pickup.

Best,

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